

1 BARRY J. PORTMAN  
Federal Public Defender  
2 NICHOLAS P. HUMY  
Assistant Federal Public Defender  
3 160 West Santa Clara Street, Suite 575  
San Jose, CA 95113  
4 Telephone: (408) 291-7753  
5 Counsel for Defendant MEDINA-QUINTERO  
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9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

|                              |   |                                  |
|------------------------------|---|----------------------------------|
| 12 UNITED STATES OF AMERICA, | ) | No. CR 05-00078 JW               |
|                              | ) |                                  |
| 13 v. Plaintiff,             | ) | <b>STIPULATION TO CONTINUE</b>   |
|                              | ) | <b>HEARING; [PROPOSED] ORDER</b> |
| 14 GENARO MEDINA-QUINTERO,   | ) |                                  |
|                              | ) |                                  |
| 15 Defendant.                | ) |                                  |
|                              | ) |                                  |

16  
17 Defendant and the government, through their respective counsel, hereby stipulate that,  
18 subject to the court's approval, the hearing date in the above-captioned matter, presently  
19 scheduled for Monday, October 22, 2007, at 1:30 p.m., be continued to Monday, November 26,  
20 2007, at 1:30 p.m. The reason for the continuance is that the defendant was indicted in the  
21 Eastern District of Washington on May 8, 2007 with being a felon and an alien in possession of a  
22 firearm, and the parties are exploring the possibility of having the defendant's case transferred to  
23 the Northern District of California. The parties need additional time to determine whether the  
24 case is suitable to be transferred and consolidated with the above captioned case.  
25  
26

1 Dated: 10/22/07

/s/  
NICHOLAS P. HUMY  
Assistant Federal Public Defender

3 Dated: 10/22/07

/s/  
SUSAN KNIGHT  
Assistant United States Attorney

6 **ORDER**

7 Accordingly, for good cause shown, the Court HEREBY ORDERS that the sentencing  
8 date in the above-captioned case be continued from October 22, 2007 to November 26, 2007 at  
9 1:30 p.m.

10 SO ORDERED. The Courtroom Deputy has notified the assigned Probation Officer and  
11 USMS of the continuance of the Sentencing hearing.

12 Dated: October 22, 2007

  
JAMES WARE  
United States District Judge